



**AMENDED  
ORDINANCE NO. 847**

**AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF REXBURG, IDAHO; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF REXBURG, IDAHO; AND AMENDING AND CHANGING THE ZONING MAP OF THE CITY OF REXBURG, IDAHO, AND THE MADISON COUNTY-REXBURG COMPREHENSIVE PLAN 2000 TO SHOW SUCH ANNEXATION AND THE CLASSIFICATION OF THE SAME UNDER THE ZONING ORDINANCE OF THE CITY OF REXBURG, IDAHO; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

**WHEREAS**, the lands hereinafter described are contiguous and adjacent to the City of Rexburg, Idaho, and have been laid off, subdivided or platted, and/or the City has been requested to annex the same to the City of Rexburg, Idaho, and

**WHEREAS**, it appears to the Mayor and City Council of the City of Rexburg, Idaho, that the hereinafter described property is subject to annexation to the City of Rexburg under and pursuant to the provisions of Section 50-222, Idaho Code, and that said land should be annexed to and become a part of the City of Rexburg, Idaho, and

**WHEREAS**, the City Council referred the zoning of the affected territory for report and recommendations to the Planning and Zoning Commission, and the Planning and Zoning Commission made its report and recommendations for zoning classification of the hereinafter described property proposed to be annexed, and

**WHEREAS**, the Council has determined that the proper classification under the Zoning Ordinance of the City of Rexburg, Idaho, for the property to be annexed is as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, AS FOLLOWS:

**SECTION I:** That the following described lands situated in Madison County, Idaho, to-wit:

Beginning at a point that is North 0°15'55" West 329.93 feet from the South Quarter Corner of Sec. 25, Twp. 6 N., R. 39 E., Boise Meridian, Madison County, Idaho; and running thence North 0°15'55" West 811.07 feet to the Southwest corner of the county road right-of-way Instrument No. 233160. Thence the following three (3) courses along said county road right-of-way; thence (1) North 89°44'05" East 60.00 feet; thence (2) North 00°15'55" West 1198.58 feet; thence (3) North 05°26'43" East 201.00 feet to the southeast corner of Instrument No. 177516; thence North 00°15'55" West 100.00 feet along said Instrument No. 177516 to the east-west center section line; thence along said section line North 89°48'44" East 1239.80 feet to the northeast corner of the west half of the southeast quarter (W1/2SE1/4) of Section 25; thence along the east line of said (W1/2SE1/4) South 00°16'05" East 659.70 feet to the southeast corner of Instrument No. 239546; thence along south line of said Instrument No. 239546 North 89°48'10" East 1138.07 to the west line of Eastern Idaho railroad right-of-way; thence along said railroad right-of-way South 30°08'18" West 382.08 feet to the northeast corner of Instrument No. 125845; thence along the north line of said Instrument No. 125845 South 89°47'52" West 944.69 feet to the east line of the west half of the southeast quarter of Section 25; thence South 00°16'05" East 1610.86 feet to the west line of the Eastern Idaho railroad right-of-way; thence South 30°08'18" West 44.49 feet along said railroad right-of-way to the south section line of Section 25; thence along said section line South 89°46'26" West 637.45 feet to the southeast corner of Instrument No. 215988; thence following two

(2) courses along said Instrument No. 215988 property boundary; thence (1) North 00°16'00" West 329.70 feet; thence (2) South 89°47'39" West 659.96 feet to the point of beginning, containing 80.69 acres.

If annexed to the City the property will be zoned as follows:

HBD (Highway Business District)

Beginning at a point that is along the south section line North 89°46'26" East 659.96 feet from the south quarter corner of Section 25, Township 6 North, Range 39 East Boise Meridian, Madison County, Idaho and running thence North 00°16'00" West 329.70 feet; thence North 46°23'37" East 282.77 feet to a point on a curve with a radius of 564.01 feet and a chord that bears North 48°51'42" West 273.36 feet; thence to the left along said curve 276.11 feet through a central angle of 28°02'56"; thence North 62°53'10" West 102.40 feet; thence North 27°06'50" East 80.00 feet to a point of a curve with a radius of 25.00 feet and a chord that bears North 72°27'40" East 35.14 feet; thence to the left along said curve 38.97 feet through a central angle of 89°18'20"; thence North 27°48'30" East 292.22 feet to a point of a curve with a radius of 232.00 feet and a chord that bears North 13°46'18" East 112.54 feet; thence to the left along said curve 113.67 feet through a central angle of 28°04'25"; thence North 0°15'55" West 154.08 feet; thence North 89°44'05" East 515.06 feet; thence South 00°16'05" East 1316.28 feet to the Eastern Idaho Railroad right-of-way; thence along said right-of-way South 30°08'18" West 44.49 feet to the south section line of Section 25; thence along said section line South 89°46'26" West 637.45 feet to the point of beginning containing 18.58 acres.

LI (Light Industrial)

Beginning at a point that is South 00°16'17" East 659.48 feet along the east section line and South 89°48'10" West 181.75 feet to the westerly line of Eastern Idaho Railroad right-of-way from the east quarter corner of Section 25, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho, and running thence South 30°08'18" West 382.08 feet along said right-of-way; thence South 89°47'52" West 344.70 feet; thence North 00°15'55" West 329.80 feet; thence North 89°48'10" East 538.07 feet to the point of beginning, containing 3.34 acres.

LDR1 (Low Density Residential)

Beginning at a point that is along the north-south center section line North 00°15'55" West 1533.77 feet from the south quarter corner of Section 25, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho; and running thence North 00°15'55" West 1105.92 feet along said north-south section line; thence North 89°48'44" East 804.80 feet; thence South 00°15'55" East 1104.83 feet; thence South 89°44'05" West 804.80 feet to the point of beginning containing 20.42 acres.

HDR (High Density Residential)

Beginning at a point that is North 00°15'55" West 329.93 feet along the north-south center section line from the south quarter corner of Section 25, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho and running thence North 00°15'55" West 1203.84 feet along said north-south center section line; thence North 89°44'05" East 804.80 feet; thence North 00°15'55" West 1104.83 feet to the east-west center section line of Section 25; thence along said east-west section line North 89°48'44" East 514.99 feet; thence South 00°16'05" East 659.70 feet; thence North 89°48'10" East 600.00 feet; thence South 00°15'55" East 329.80 feet; thence South 89°47'52" West 599.99 feet; thence South 00°16'05" East 294.58 feet; thence South 89°44'05" West 515.06 feet; thence South 00°15'55" East 154.08 feet to a point of curve with a radius of 232.00 feet and a chord that bears South 13°46'18" West 112.54 feet; thence to the right along said curve 113.67 feet through a central angle of 28°04'25"; thence South 27°48'30" West 292.22 feet to a point of a curve with a radius of 25.00 feet and a chord that bears South 72°27'40" West 35.14 feet; thence to the right along said curve 38.97 feet through a central angle of 89°18'20"; thence South 27°06'50" West 80.00 feet; thence South 62°53'10" East 102.40 feet to a point of a curve with a radius of 564.01 feet and a chord that bears South 48°51'42" East 273.36 feet; thence to the right along said curve 276.11 feet through a central angle of 28°02'56"; thence South 46°23'37" West 282.77 feet; thence South 89°47'39" West 659.96 feet to the point of beginning containing 40.50 acres.

shall be, and the same hereby is annexed to the City of Rexburg and shall be, and is hereby declared to be a part of the City of Rexburg, Idaho. The property is hereby classified and zoned as above stated.

**SECTION II:** That the above described property hereby annexed to the City of Rexburg be, and the same is hereby classified under the Zoning Ordinance of the City of Rexburg as above set forth; that the Zoning Map and the Madison County-Rexburg Comprehensive Plan 2000 shall be amended to show this annexation and classification of the above described property so annexed and that said amendment shall be certified to and declared to be the official Zoning Map of the City of Rexburg by a certificate of the Mayor and Council of the City of Rexburg endorsed thereon.

**SECTION III:** This ordinance shall be in full force and effect from and after its passage, approval and due publication.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 7th day of February, 2001.

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Bruce Sutherland, Mayor

(SEAL)

**ATTEST:**

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Marilyn Hansen, City Clerk

STATE OF IDAHO            )  
  )ss.  
County of Madison         )

I, MARILYN HANSEN, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance entitled:

**AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF REXBURG, IDAHO; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF REXBURG, IDAHO; AND AMENDING AND CHANGING THE ZONING MAP OF THE CITY OF REXBURG, IDAHO, AND THE MADISON COUNTY-REXBURG COMPREHENSIVE PLAN 2000 TO SHOW SUCH ANNEXATION AND THE CLASSIFICATION OF THE SAME UNDER THE ZONING ORDINANCE OF THE CITY OF REXBURG, IDAHO; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 7<sup>th</sup> day of February, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, Idaho, this 7<sup>th</sup> day of February, 2001.

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Marilyn Hansen, City Clerk

(SEAL)